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OFFICE OF PETITIONS

In re Application of
Banerjee
Application No. 09/635,027
Filed: August 4, 2000
Attorney Docket No. N/A
For: METHODS FOR SIMULTANEOUS
ISOLATION OF BIOLOGICALLY ACTIVE
TRANSCRIPTION FACTORS AND DNA

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed August 10, 2004 (Express Mail date August 9, 2004), to revive the above-identified application.


The above-identified application became abandoned for failure to properly reply to the final Office action of June 3, 2002, which set a shortened statutory period for reply of three (3) months to submit, *inter alia*, sequence rules and a CRF in compliance with 37 CFR 1.821 - 1.825. Extensions of time were available under 37 CFR 1.136(a). A timely reply was received on December 2, 2002. However, this reply failed to comply with the requirements of 37 CFR 1.821 - 1.825. This application became abandoned on December 4, 2002. A Notice of Abandonment was mailed on July 11, 2003. A petition under 37 CFR 1.137(a), filed April 13, 2004, to revive the above-identified application was dismissed on July 14, 2004 for failure to show the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(a) was unavoidable.

Applicant has submitted a reply in the form of a RCE and compliant sequence listing, an acceptable statement of the unintentional nature of the delay in responding to the September 4, 2002 non-final Office action, and the petition fee.

The petition under 37 CFR 1.137(b) is **GRANTED**.

After the mailing of this decision the application will be forwarded to Technology Center 1600 for further examination.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 308-6712.


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Office of Petitions